

**CITY OF BIRMINGHAM, ALABAMA
DEPARTMENT OF COMMUNITY DEVELOPMENT**

**2020-2025 HUD CONSOLIDATED PLAN AND HOUSING PLAN & ANALYSIS
OF IMPEDIMENTS TO AND ASSESSMENT OF FAIR HOUSING CHOICE**

REQUEST FOR CONSULTANT SERVICE PROPOSALS

THIS REQUEST MAY BE RESPONDED TO BY APPLYING FOR ONE OR BOTH OF THE FOLLOWING PARTS. EACH PART REQUIRES A SEPARATE NARRATIVE, PROPOSED BUDGET, AND EVALUATION:

**PART I: 2020-2025 HUD CONSOLIDATED PLAN AND HOUSING PLAN
PART II: 2020-2025 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING
CHOICE**

PROPOSAL DUE DATE: July 19, 2019 by 4:00 p.m.

WEBSITE POSTING: www.birminghamal.gov

Additional information or clarification about this request can be obtained by contacting Adrienne Stitt in the Community Development Department 205-254-2434. Proposals must be received in the Community Development Department no later than 4:00 p.m. on July 19, 2019 by hard copy at the address referenced below and electronically at Adrienne.stitt@birminghamal.gov. No proposals received by fax will be accepted.

May 5, 2019

RE: Consolidated/Housing Plan & Analysis of Impediments to and Assessment of Fair Housing Choice Request for Consultant Service Proposals

Proposing Entities:

The City of Birmingham, Alabama (the City) is a grantee eligible to receive assistance under the Community Development Block Grant (CDBG) Program, the Emergency Solutions Grant (ESG) Program, the HOME Investment Partnerships (HOME) Program and the Housing Opportunities for People with AIDS (HOPWA) Program. Funds for these programs must be spent inside the City limits of Birmingham, Alabama for program participants who meet applicable eligibility criteria and for eligible activities as outlined by program regulation.

The Consolidated Plan is a document that is submitted to HUD that serves as the planning document (comprehensive housing affordability strategy and community development plan) of the City and an application for funding under the referenced programs which is prepared in accordance with the requirements of 24 CFR Part 91. As an extension of this Consolidated Plan, the City also intends to produce a Housing Plan that can be used for planning and development purposes.

Additionally, as a part of the Consolidated Plan, the City certifies annually that it will affirmatively further fair housing, which means it will conduct an Analysis of Impediments and Assessment of Fair Housing Choice (AFH) within the jurisdiction, set priorities and goals based on the assessment, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

The City of Birmingham is seeking consultant service proposals to coordinate the preparation of these documents on behalf of the Community Development Department in accordance with HUD regulations and guidelines. The documents must cover the period of July 1, 2020 through June 30, 2025 and must be submitted in final form to the Community Development Department for approval no later than March 1, 2020.

Additional information or clarification about this request can be obtained by contacting Adrienne Stitt in the Community Development Department 205-254-2434. Proposals must be received in the Community Development Department no later than 4:00 p.m. on July 19, 2019 by hard copy at the address referenced below and electronically at Adrienne.stitt@birminghamal.gov. No proposals received by fax will be accepted.

I appreciate your time and effort in responding to this proposal and look forward to working with you in the future.

Christopher Hatcher, Director
Community Development Department
710 20th Street North
Room 1000
Birmingham, AL. 35203

CONSULTANT SERVICES PROPOSAL APPLICATION PROCEDURE:

This request for consultant service proposals contains two separate program components: Part I. 2020-2025 HUD Consolidated Plan and Housing Plan; and Part II. 2020-2025 Analysis of Impediments to and Assessment of Fair Housing Choice. An entity may apply for one or both these program components. Please address each of the following elements and provide the documentation requested. It is not necessary to repeat this information if your organization is applying under more than one program component. Any proposal submitted without all of the information requested below will be considered as non-responsive.

- A. Executive Summary should contain a description of your proposal in as much detail as possible.
- B. Fixed Price Budget & Completion Schedule. Please include a fixed price or fee for the production of the requested document. This fee should include a breakout of projected costs and profit. Also include a proposed completion schedule and timeline assuming a start date of July 1, 2019. Upon completion and approval of the document by the City, the consultant will be expected to submit substantial parts of the final documents electronically through HUD's IDIS system with a due date of May 15, 2020. Contract payments will be made in accordance with a completion schedule based upon completion of document elements.
- C. Provide resume of experience of the development team.
- D. Complete Evaluation Criteria Questions for each program component under which you are applying.
- E. Execute all Certifications in Appendix C.

NOTE: This list may not be all inclusive. Additional documentation may be required upon request by the City of Birmingham, Alabama.

COMPLIANCE WITH ANTI-DISCRIMINATION LAWS:

This grant will be conducted and administered in conformity with title VI of the Civil rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

PART I: 2020-2025 HUD CONSOLIDATED PLAN:

The City is presently following a five (5) year consolidated plan that has been approved by the U.S. Department of Housing and Urban Development (HUD) for the period July 1, 2013 thru June 30, 2020. This document consolidates the planning and submission process for HUD Community Planning and Development (CPD) formula programs: Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grants (ESG) and Housing Opportunities for Persons With AIDS (HOPWA).

The consolidated plan includes six required components: (a) housing and homeless needs assessment, (b) housing market analysis, (c) strategies and priority needs and objectives, (d) action plan, (e) certifications, (f) monitoring. The action plan and certification portions of the document must be submitted annually to HUD for approval. The Consolidated Plan contains a single five (5) year strategic plan that brings needs and resources together in a coordinated housing and community development strategy. The five (5) year housing and community development strategic plan also outlines the strategy to be followed and the actions to be taken to address imbalances between the City's housing and community development needs and its resources.

The complete consolidated plan regulation is available at 24 CFR Part 91 and is posted on the HUD website at www.hud.gov/offices/cpd/about/conplan/index.cfm along with guidelines and other information regarding HUD's Consolidated Planning Process. Also included is the Consolidated Plan Review Checklist which the City will require as a mandatory part of the completed Consolidated Plan document to be prepared.

The Consolidated Plan Document must cover the period of July 1, 2020 through June 30, 2025 and must be submitted in final form to the Community Development Department for approval no later than March 1, 2020. Upon approval, the final document must be electronically submitted to HUD through IDIS no later than May 15, 2020.

HOUSING PLAN:

In an effort to further evaluate building infrastructure and plan for development and growth, the City is also including a Housing Plan as part of the Consolidated Plan. The guiding City documents for this Housing Plan will be the City's Comprehensive Plan and Framework Plans. The Housing Plan should, among other topics, address many items that coordinate interdepartmentally within City government, including ways to realistically further the coordination of funding for maximum impact and benefit. The Housing Plan should attempt to identify types of housing appropriate for various neighborhoods within the City limits given potential resident preferences and trends. The Housing Plan should further assess various growth patterns and give guidance on how to repopulate down trending areas while not reducing growth in other areas of the City. As part of the Housing Plan, some level of residential market analysis should be included. The depth of the analysis will be determined after factoring in budgetary restraints and the proposed costs of other items in the proposals received.

The Comprehensive Plan was adopted by the Birmingham Planning Commission on October 2, 2013. As the Comprehensive Plan, the document identifies goals and objectives for building a better Birmingham. A guiding principle of the document is the City's belief in "Strong Neighborhoods with...a mix of housing types that provide for residents' diverse needs." Emphasis is also placed on opportunities for "Strategic infill and redevelopment," with "a focus on vacant properties and blighted areas." Among other guidance, Housing Policies within the Comprehensive Plan include the following: "Direct new housing development to areas with existing infrastructure rather than building new capacity on the outskirts."

Evaluation Factors:

The preliminary funding award resulting from this part of the Request for Proposals shall be determined by analysis of, but not necessarily limited to, the factors shown below. Points will be designated for each factor of consideration with a maximum score of 100 points. Awards will be made to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

Briefly respond to each of the following (maximum of 250 words per item):

- A. Applicant Organization has previously submitted, electronically through IDIS, a HUD Five Year Consolidated Plan.
_____ Zero or 25 points
- B. Applicant Organization has a minimum of 5 years demonstrated experience in the preparation of HUD Five Year Consolidated Plans for States or other Entitlement Jurisdictions.
_____ Up to 15 points
- C. Applicant Organization proposes to complete the document in accordance with a time efficient schedule no later than April 1, 2020, with a submission date no later than May 15, 2020.
_____ Up to 25 points
- D. Applicant Organization has completed Housing Plans and/or Studies for other Cities of similar size.
_____ Up to 10 Points
- E. Section 3 Certified Business or Organization.
_____ Zero or 10 Points
- F. Applicant Organization submitted the most cost effective proposal.
_____ Zero or 15 Points

PART II: 2020-2025 ANALYSIS OF IMPEDIMENTS TO AND ASSESSMENT OF FAIR HOUSING CHOICE

Sections 104(b)(2) and 106(d)(5) of the Housing and Community Development Act of 1974, as amended, specifically require Community Development Block Grant (CDBG) Program grantees to certify they will affirmatively further fair housing. Congress reiterated this affirmative obligation in Section 105(b)(13) of the National Affordable Housing Act of 1990 (NAHA). In addition to this, HUD issued its Final Rule in the Federal Register on July 16, 2015. The Final Rule requires that jurisdictions do an Assessment of Fair Housing (AFH)

As a part of the Consolidated Plan, the City certifies annually that it will affirmatively further fair housing, which means it will conduct an Analysis of Impediments to and Assessment of Fair Housing Choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard. The final document will use the HUD assessment tool and other items at the City's disposal to analyze the City's fair housing landscape and set locally-determined fair housing priorities and goals through an Assessment of Fair Housing.

The scope of the AFH is broad. It covers the full array of public and private policies, practices and procedures affecting housing choice. In summary, the AFH; i) Serves as the substantive logical basis for fair housing policy; ii) Provides essential and detailed information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates; iii) Assists in building public support for fair housing efforts both within a State or Entitlement jurisdictions/ boundaries and beyond; iv) Attempts to define the landscape of fair housing on a local level and sets goals and objectives to address any issues identified.

An Affirmatively Furthering Fair Housing Guide detailing the information needed for conducting an AFH is available on the HUD website at https://www.huduser.gov/portal/affht_pt.html#affh. The AFH document must cover the period of July 1, 2020 through June 30, 2025 and must be submitted in final form to the Community Development Department for approval no later than March 1, 2020.

Evaluation Factors:

The preliminary funding award resulting from this part of the Request for Proposals shall be determined by analysis of, but not necessarily limited to, the factors shown below. Points will be designated for each factor of consideration with a maximum score of 90 points. Awards will be made to the responsible firm whose proposal is most

advantageous to the program, with price and other factors considered.

Briefly respond to each of the following (maximum of 250 words per item):

- A. Applicant Organization has a minimum of 5 years demonstrated experience in the preparation of HUD Analysis of Impediments/Assessment to Fair Housing Choice for States or other Entitlement Jurisdictions.
_____ Up to 25 points
- B. Applicant Organization proposes to complete the document in accordance with a time efficient schedule no later than March 1, 2020.
_____ Up to 35 points
- C. Section 3 Certified Business or Organization.
_____ Zero or 10 Points
- D. Applicant Organization submitted the most cost effective proposal.
_____ Zero or 20 Points

APPENDIX A
TRANSPARENCY IN CITY GOVERNMENT DISCLOSURE FORM
(Must be completed by all applicants)

TRANSPARENCY IN CITY GOVERNMENT DISCLOSURE FORM

INSTRUCTIONS:

This form must be fully completed by each individual, firm, group, agency, non-profit and other entity (hereinafter referred to as “you” or “Applicant”).

Answer all questions applicable to you. Respond “Not applicable” or “NA” if a question does not apply to you. Attach additional pages if needed.

1. Name of Applicant:
2. Physical Street Address of Applicant:
3. Mailing Address of Applicant (if different from street address):
4. Phone Number of Applicant:
5. Key Contact Person for Applicant:
6. Identify all officers, directors, owners, substantial investors in (5% or more of Applicant’s stock) and partners of the Applicant:
7. Are any of these persons City employees?
8. Are any of these persons related by blood or by marriage to City officials or employees? If yes, list all pertinent relationships.
9. Identify all key employees or personnel of the Applicant:

10. Are any of these persons City employees?
11. Are any of these persons related by blood or by marriage to City officials or employees? If yes, list all pertinent relationships.
12. Has the Applicant ever received City funding, entered into a contract or appointment with the City, or provided services to the City?
13. If you answered “Yes” to Question No. 12 :
 - a) State the amount of funds received or amount of the contract or appointment.
 - b) Describe in detail the work performed, scope of appointment, or purpose for which the funds were used, and attach supporting documentation such as receipts and invoices.
 - c) Attach a copy of the contract or appointment.
14. Attach resumes of Applicant’s key personnel.
15. Attach Applicant’s articles of incorporation if applicable.
16. Attach Applicant’s 501(c)(3) letter from Internal Revenue Service if applicable.
17. Describe in detail the work Applicant seeks to perform for the City.
18. Identify all sources and amounts of public funding (federal, state and local) the Applicant has received within the past three (3) years.
19. Has the Applicant ever been suspended or barred from participating in federal contracts or other federal assistance? If yes, explain.
20. Has any individual associated with the Applicant ever been suspended or barred from participating in federal contracts or other federal assistance? If yes, explain.

22. Identify any business or firm in which:

- a) The Applicant or its key personnel owns 5% or more of the stock;
- b) The Applicant or its key personnel serves as an officer or director;
- c) The Applicant or its key personnel is a partner.

I declare under penalty of perjury that the Applicant's answers to each and every question on the Transparency in City Government Disclosure Form are true and correct:

Signature

Print Name

Date

Title/Position with Applicant

APPENDIX B- CERTIFICATIONS

CONSULTANTS OR NON-PROFIT ORGANIZATIONS CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

1. The undersigned certifies to the City of Birmingham through its Department of Community Development that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment or suspension, declared ineligible, or voluntarily excluded from any transactions or construction projects involving the use of Federal funds;
 - (b) Have not within a three-year period preceding this certification been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract, violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
 - (d) Have not within a three-year period preceding this certification had one or more public projects (Federal, State or local) terminated for cause of default.
2. Where the undersigned is unable to certify to any of the statements in this certification, the undersigned shall attach an explanation to this certification.

Organization Name

By: _____

Its: _____

Date: _____

**CERTIFICATION REGARDING
PROHIBITION OF THE USE OF FEDERAL FUNDS
FOR LOBBYING AND BRIBES**

I, _____, the _____

Of _____ (“Owner”) authorized to act on behalf of Owner certify to the City of Birmingham through its Department of Community Development that:

- (1) No Federal appropriated funds have been paid or will be paid by or on behalf of the Owner, to any person for influencing or attempting to influence an office or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement;
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Owner will complete and submit Standard Form-LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions; and
- (3) The Owner shall require that this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

Name

Title

Date

CODE OF CONDUCT CERTIFICATION

The applicant covenants that no person who presently exercises any functions or responsibilities in connection with the program has any personal financial interest, direct or indirect, which would conflict in any manner or degree with the performance of its services hereunder. The developer further covenants that in the performance of this Agreement no person having any conflict of interest shall be employed. Any interest on the part of the Consultant or its employees must be disclosed to the City. This paragraph shall be interpreted in such a manner so as not to unreasonably impede the statutory requirements that maximum opportunity be provided for employment of and participation by low and moderate income residents of the area.

Signature of Authorized Certifying Official:

Title:

Applicant Organization:

Date:

Applicant's Authorized Signature

By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete, and accurate to the best of my knowledge. I also provide the required assurances and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

Signature/Authorized Official

Date

Title

File Name: 2020-2025 Con Plan & AFH-RFP